

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

**ROBBIE KEETON GEIGER, as Administratrix
of the Estate of Ricky Keith Keeton, Deceased;
DELISHA KEETON MOONEY; and
MEGAN ARCHER**

PLAINTIFFS

VS.

CAUSE NO. 1:16-CV-00095-DMB-DAS

**MONROE COUNTY, MISSISSIPPI;
and ERIC SLOAN**

DEFENDANTS

**PLAINTIFFS' RESPONSE IN OPPOSITION TO DEFENDANTS' MOTION FOR
LEAVE TO FILE RENEWED MOTION FOR SUMMARY JUDGMENT
AND MOTION FOR JUDGMENT ON THE PLEADINGS [252]**

Plaintiffs respond to Defendants' Motion for Leave to File Renewed Motion for Summary Judgment and Motion for Judgment on the Pleadings [252] as follows:

1. The proposed motion is untimely. If allowed to be filed, the motion will be filed long after the agreed Pretrial Order was submitted by the parties to the Court on July 30, 2021.
2. Defendants erroneously state that the untimeliness is excused because Defendants deposed Wanda Stegall a second time. Except for answering questions about drug use, there is no difference between what Stegall testified to in her first deposition and what she testified to in her second deposition. Furthermore, Defendants learned in discovery that Stegall had given a handwritten statement to Mississippi Bureau of Investigation investigators and had also give a tape recorded interview to Investigator Kenneth Bailey. In this taped interview, Stegall did not take the Fifth Amendment. Stegall's second deposition was a ruse, taken to give some ground for a second motion for summary judgment, when none existed.

3. In order to demonstrate that the law of the case doctrine applies and that the motion is, in any event, without merit, Plaintiffs attach the following evidentiary materials:

- Exhibit “A”: Deposition of Wanda Stegall Taken April 17, 2017;
- Exhibit “B”: Statement of Facts by Eric Sloan;
- Exhibit “C”: Certified Autopsy of Ricky Keith Keeton;
- Exhibit “D”: Transcribed Statement of Wanda Stegall by Kenneth Bailey;
- Exhibit “E”: Ricky Keeton Indictment and Sentencing Order;
- Exhibit “F”: Affidavit of Chuck Chism;
- Exhibit “G”: Deposition of Terry Parker;
- Exhibit “H”: Deposition of Cecil Cantrell Taken January 18, 2022;
- Exhibit “I”: Affidavit of Robbie Keeton Geiger;
- Exhibit “J”: Deposition of Eric Sloan;
- Exhibit “K”: Deposition of Robert Fowlkes;
- Exhibit “L”: Deposition of Cecil Cantrell Taken February 15, 2017;
- Exhibit “M”: Deposition of John Bishop;
- Exhibit “N”: Deposition of Curtis Knight;
- Exhibit “O”: Deposition of Spencer Woods;
- Exhibit “P”: Deposition of John Michael Lay;
- Exhibit “Q”: Statement of Facts by John Bishop;
- Exhibit “R”: Affidavit for Search Warrant and Search Warrant;
- Exhibit “S”: Deposition of Wanda Stegall taken March 1, 2022;
- Exhibit “T”: Deposition of Kenneth Bailey;

- Exhibit “U”: Synopsis of Kenny Bailey;
- Exhibit “V”: Deposition of Corey Burrow;
- Exhibit “W”: Written Statement of Wanda Stegall;
- Exhibit “X”: Deposition of Greg Nester;
- Exhibit “Y”: Statement of Kenneth Bailey;
- Exhibit “Z”: Deposition of Stephanie Herring, in the case styled, *Cynthia Verdise Fuller v. Eric Sloan, et al.*, U.S.D.C., No. 1:16-cv-00014-GHD-DAS;
- Exhibit “AA”: Hearing Testimony of B.J. Harmon and Roger Woods in *State v. Herring*, Monroe County Circuit Court No. CR16-045;
- Exhibit “BB”: Deposition of Tony Coxey; and
- Exhibit “CC”: Article Entitled *Smithville man killed during drug raid*.

4. A brief in opposition to Defendants’ Motion for Leave to File Renewed Motion for Summary Judgment and Motion for Judgment on the Pleadings [252] is being filed simultaneously herewith.

5. Defendants’ Motion for Leave to File Renewed Motion for Summary Judgment and Motion for Judgment on the Pleadings [252] should be denied. Out of an abundance of caution, however, Plaintiffs are, nevertheless, filing responsive briefs and pleadings.

RESPECTFULLY SUBMITTED, this the 13th day of April, 2022.

ROBBIE KEETON GEIGER, DELISHA KEETON
MOONEY, and MEGAN ARCHER, Plaintiffs

By: /s/ Jim Waide

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CERTIFICATE OF SERVICE

This will certify that undersigned counsel for Plaintiffs has this day filed the above and foregoing with the Clerk of the Court, utilizing the federal court electronic case data filing system (CM/ECF), which sent notification of such filing to the following:

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DATED, this the 13th day of April, 2022.

/s/ Jim Waide

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